

**RECEIVED  
CENTRAL FAX CENTER****AUG 03 2004****MOTOROLA  
FAX TRANSMITTAL SHEET**

Motorola, Inc.  
Intellectual Property Section  
Law Department  
Law Department  
3102 North 56th Street  
Phoenix, Arizona 85018

**OFFICIAL**

Telephone: 602-952-4399  
Facsimile: 602-952-4376

**9**

Number of Pages (including this page)

Date: August 3, 2004  
To: Michael J. Moore Jr. - 2666  
Location: United States Patent and Trademark Office  
Fax No.: 703-872-9306 Centralized Facsimile  
From: Frank J. Bogacz - 29,047  
Subject: 09/713,457- Thomas Peter Emmons Jr. Confirmation No.: 3369

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**MESSAGE:**

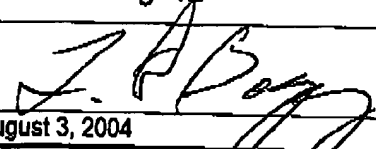
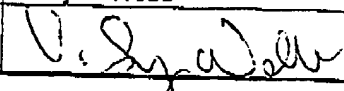
Enclosed herewith, please find AMENDMENT for filing in the below-identified application.

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:  
GROUP ART UNIT:  
SERIAL NO.:  
FILED:  
INVENTOR:

Michael J. Moore Jr.  
2666  
09/713,457  
NOVEMBER 15, 2000  
THOMAS PETER EMMONS JR.

<b>FEE TRANSMITTAL</b>		<i>Complete if Known</i>																																																																																																																																																																																																																											
<div style="text-align: center;"><b>FEE TRANSMITTAL</b></div> <p>Patent fees are subject to annual revision</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		Application Number	09/713,457																																																																																																																																																																																																																										
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<div><input type="checkbox"/> Check   <input type="checkbox"/> Credit card   <input type="checkbox"/> Money Order   <input type="checkbox"/> Other   <input type="checkbox"/> None</div> <div><input checked="" type="checkbox"/> Deposit Account:</div> <div>Deposit Account Number <span style="border: 1px solid black; padding: 2px;">502117</span></div> <div>Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Motorola, Inc.</span></div> <div>The Director is authorized to: (check all that apply)</div> <div><input checked="" type="checkbox"/> Charge fee(s) indicated below   <input type="checkbox"/> Credit any overpayments</div> <div><input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application</div> <div><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</div>																																																																																																																																																																																																																													
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<b>1. BASIC FILING FEE</b>		<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																																																											
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late filing fee or cash</td><td></td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td><td></td></tr><tr><td>1053</td><td>130</td><td>2053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee (or release)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>840</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>60</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(e)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="6">Other fee (specify) _____</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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EXTRA CLAIM FEES</b>	
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Name (Print/Type) <span style="border: 1px solid black; padding: 2px;">Frank J. Bogacz</span>		Registration No. <span style="border: 1px solid black; padding: 2px;">29,047</span> Telephone <span style="border: 1px solid black; padding: 2px;">602-952-4399</span>																																																																																																																																																																																																																											
Signature <span style="border: 1px solid black; padding: 2px;">[Signature]</span>		Date <span style="border: 1px solid black; padding: 2px;">August 3, 2004</span>																																																																																																																																																																																																																											

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/713,457	
	Filing Date	November 15, 2000	
	First Named Inventor	Thomas Peter Emmons Jr.	
	Group Art Unit	2666	
	Examiner Name	Michael J. Moore Jr.	
Total Number of Pages in this Submission	9	Attorney Docket Number	IRI03902
<b>ENCLOSURES</b> (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter with appropriate copies	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CDs _____		
<input type="checkbox"/> Certified Copy of Priority Documents	Remarks		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	X Facsimile Transmittal Sheet		
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53			
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm or Individual	Frank J. Bogacz	Registration No.	29,047
Signature			
Date	August 3, 2004		
<b>CERTIFICATE OF MAILING/TRANSMISSION</b>			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313 on the date listed below:			
Typed or printed name	V. Lynn Webb		
Signature			
Date	August 3, 2004		

Appl. No. 09/713,457  
Amdt. Dated August 3, 2004  
Reply to Office Action of July 26, 2004

Docket No. IRI03902  
Customer No.. 23330

## UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S)	Thomas Peter Emmons Jr.	GROUP ART UNIT:	2668
APPLN. NO.:	09/713,457	EXAMINER:	Michael J. Moore Jr.
FILED:	November 15, 2000	Confirmation No.	3369
TITLE:	METHODS AND APPARATUS FOR PROVIDING MULTIPLE WIRELESS COMMUNICATION SERVICES HAVING DIFFERENT BIT RATES		

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AMENDMENT AFTER FINAL REJECTION

RECEIVED  
CENTRAL FAX CENTER

AUG 03 2004

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**OFFICIAL**

Sir:

In response to the Office Action dated July 26, 2004, Paper No. 5, please amend the above-identified application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.